

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY , JUNE 10 , 1975

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

The Common Council of the City of Fort Wayne met in the Council Chambers
Tuesday evening June 10 A.D., 1975, in Regular
Session. President James S. Stier in the chair, and
Charles W. Westerman Clerk, at the desk, present the following
members viz:
Burns , Hinga , Kraus
Moses , Nuckols , Donald Schmidt
Vivian Schmidt , Stier , Talarico
Absent
Councilmen Nuckols ,

The invocation was given by Reverend Don Quayle - St. John's United Church
of Christ

Received report from the City Controller for the month of _____, 19 _____. Motion made and carried that report be made a matter of record and placed on file.

special _____, 19_____,
The minutes of the last regular _____, 19_____,
ion having been delivered to the Council, were, on motion, approved and
ished.



ST. JOHN'S UNITED CHURCH OF CHRIST

219 WEST WASHINGTON BLVD. • FORT WAYNE, INDIANA 46802 • Church Phone 743-3438
Don R. Quayle, Pastor • R. William Bonham, D.C.E. • Parsonage Phone 447-3975

PRAYER FOR THE CITY COUNCIL SESSION, June 10, 1975

O Lord, we realize that You have provided for us in our common life a civil government to maintain order in society and work for justice and peace among mankind.

For those who accept the challenge to be involved in the government through positions of leadership we are indeed grateful. We ask that their motives in so doing may be out of the desire to create a better community in which they and their fellow man may live. Although all of us are guided somewhat by selfish motives in everything that we do, we ask that You may work through what may not always be the best motives to accomplish Your purpose here in this city of Ft. Wayne and on the face of the earth.

As the members of the Council deliberate the various matters which confront them may Your Holy Spirit guide and work in their midst so that the needs of the people may be uppermost in their minds and the decisions which are reached may be according to Your Holy Will.

These prayers we offer in the name of Christ our Lord. Amen.



THE CITY OF FORT WAYNE
office of the mayor

May 28, 1975

To the Common Council
Fort Wayne, Indiana

Gentlemen and Mrs. Schmidt:

Today, May 28, 1975, I have approved the following ordinances passed by the Common Council at the regular meeting of May 27, 1975.

(Bill No. A-75-05-28)
APPROPRIATION ORDINANCE NO. A-18-75

AN ORDINANCE appropriating certain unobligated funds for various Programs in the 1975 Budget of the City of Fort Wayne

(Bill No. S-75-05-02)
SPECIAL ORDINANCE NO. S-78-75

AN ORDINANCE approving Change Order No. 2 in connection with street, sidewalk and lighting improvement on Resolution No. 5658-74

(Bill No. S-75-05-03)
SPECIAL ORDINANCE NO. S-79-75

AN ORDINANCE approving a certain bid document for purchase of vehicles for Police Department and Fire Department

(Bill No. S-75-05-04)
SPECIAL ORDINANCE NO. S-80-75

AN ORDINANCE approving a certain bid document with TIFFIN SCENIC STUDIOS, INC. for purchase of Theatrical Equipment for Foellinger Outdoor Theatre in Franke Park

(Bill No. S-75-05-05)
SPECIAL ORDINANCE NO. S-81-75

AN ORDINANCE approving a contract with DAILEY ASPHALT PRODUCTS CO. INC. for improvement in Councilmanic District

MADE A MATTER OF RECORD
DATE 6/16/75 CHARLES W. WESTERMAN, CITY CLE

(Bill No. S-75-05-06)
SPECIAL ORDINANCE NO. S-82-75

AN ORDINANCE approving contracts "A" and "B" with CONTINENTAL CONSTRUCTION for curb and sidewalk repairs in the 6th Councilmanic District under Resolution 5649-1974

(Bill No. S-75-05-07)
SPECIAL ORDINANCE NO. S-83-75

AN ORDINANCE approving a certain bid document with SUMMIT CITY COACH COMPANY for purchase of ambulance

(Bill No. S-75-05-18)
SPECIAL ORDINANCE NO. S-84-75

AN ORDINANCE approving a contract with T-G EXCAVATING, INC. for sidewalk repair in the 5th Councilmanic District under Resolution 5648-1974

(Bill No. S-75-05-09)
SPECIAL ORDINANCE NO. S-85-75

AN ORDINANCE approving a contract with NOBIS-WESTROPP CONSTRUCTION CO. for water and sewer facilities under Waynedale, Phase II Improvement Resolution 5677-1974

(Bill No. S-75-05-10)
SPECIAL ORDINANCE NO. S-86-75

AN ORDINANCE approving a contract with MOELLERLING CONSTRUCTION CO. for Waynedale Phase II Improvement Resolution 5677-1974

(Bill No. R-75-05-40)
RESOLUTION NO. R-36-75

A RESOLUTION authorizing the Department of Community Development and Planning to apply for a Comprehensive Planning Grant from HUD

(Bill No. R-75-05-41)
RESOLUTION NO. R-37-75

A RESOLUTION authorizing the temporary advancement of funds from Account 10-965-999 NON-ENGLISH SPEAKING GRANT to Account 10-720-999 TRAFFIC SAFETY WORK PROGRAM for the period ending December 31, 1975

(Bill No. R-75-05-42)
RESOLUTION NO. R-38-75

A RESOLUTION authorizing the Department of Community Development and Planning to apply for federal funds under Innovative Community Development Demonstration Project Grant Program

(Bill No. R-75-05-43)
(AS AMENDED)
RESOLUTION NO. R-39-75

A RESOLUTION directing the disposal of solid waste by the sewage utility

(Bill No. R-75-05-48)
RESOLUTION NO. R-40-75

A RESOLUTION authorizing the Department of Community Development and Planning to apply for and execute a HUD Counseling Agency contract

(Bill No. S-75-05-16)
SPECIAL ORDINANCE NO. S-87-75

AN ORDINANCE approving a contract with HIPS Kind ASPHALT CORPORATION for improvement of abandoned railroad crossings

(Bill No. S-75-05-17)
SPECIAL ORDINANCE NO. S-88-75

AN ORDINANCE approving a contract with REITH-RILEY CONSTRUCTION CO. for proposed purchase of materials for Street Department

(Bill No. S-75-05-19)
SPECIAL ORDINANCE NO. S-89-75

AN ORDINANCE approving Change Order No. 1 connection with resurfacing program Resolution 5669-1974

(Bill No. S-75-05-20)
SPECIAL ORDINANCE NO. S-90-75

AN ORDINANCE approving Contracts for proposed purchase of paper

(Bill No. S-75-05-21)
SPECIAL ORDINANCE NO. S-91-75

AN ORDINANCE approving a contract with EARLY ELEVATOR COMPANY for repair to freight elevator for Water Maintenance & Service Department

(Bill No. S-75-05-22)
SPECIAL ORDINANCE NO. S-92-75

AN ORDINANCE approving a contract with REITH RILEY CONSTRUCTION CO.
for proposed purchase of Hot Asphalt Concrete Pavement Mix

(Bill No. S-75-05-23)
SPECIAL ORDINANCE NO. S-93-75

AN ORDINANCE approving a contract with GENERAL ELECTRIC COMPANY for
proposed purchase of materials for TOPICS Lighting Projects

(Bill No. S-75-05-24)
SPECIAL ORDINANCE NO. S-94-75

AN ORDINANCE approving a contract with GENERAL ELECTRIC COMPANY
for proposed purchase of street lighting luminaires

(Bill No. S-75-05-25)
SPECIAL ORDINANCE NO. S-95-75

AN ORDINANCE approving a contract with WESTINGHOUSE ELECTRIC SUPPLY
for purchase of material for Street Lighting Department

(Bill No. S-75-05-26)
SPECIAL ORDINANCE NO. S-96-75

AN ORDINANCE approving Change Order No. 2 in connection with Division
II, WPC Plant Expansion

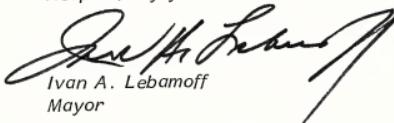
(Bill No. S-75-05-27)
SPECIAL ORDINANCE NO. S-97-75

AN ORDINANCE approving a contract with NORTH EASTERN ENTERPRISES, INC.
for Sewer Extension in Walden Addition, Section III

(Bill No. R-75-05-63)
RESOLUTION NO. R-41-75

A RESOLUTION concerning the location and construction of a Regional Correctional
Center and Repealing Resolution No. R-13-72

Respectfully yours,



Ivan A. Lebamoff
Mayor



COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 30, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-03-14

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of May, 1975.



Charles N. Hall

Secretary

MADE A MATTER OF RECORD
DATE 6/16/75 CHARLES W. WESTERMAN, CITY CLERK

an equal opportunity employer





COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 30, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-75-03-14
2. Intended Use: Office - apartment
3. Plan Commission Recommendation: DO NOT PASS

This ordinance received a DO NOT PASS recommendation for the following reasons:

- a). This change will conflict with the present zoning in the area, which is two family residential - the neighborhood should be preserved in its present zoning classification.
- b). Off-street parking cannot be provided on site without taking the rear lot of the home to meet requirements.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning and
Zoning


James Geraghty
Director

JG:pr
ATT.

cc: Mayor Ivan Lebamoff

Equal opportunity employer



19	AVENUE	12	15	16	17	18	19	20	21	22	23
20		13									
21		14									
22	FAIRFIELD	KINNAIRD	AVENUE								
23		C	3								
24		2	HALTERS	6	7	R	8	9	10	11	
25		1				ADD.					
26		12									
		11		6							
		10		9	7						
						LA JOLLA C.T.	5				
							4				
							3	24	23	22	21
							2				20

C TO BE CHANGED FROM R-2 TO R-3

AA-4

2-26-75

2-75-03-14

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on March 11, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-03-14; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this
30th day of May, 1975.



Charles N. Hall
Secretary



COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 30, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) zoning ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-04-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of May, 1975.

Charles N. Hall
Secretary

MADE A MATTER OF RECORD
DATE 6/16/75 CHARLES W. WESTERMAN, CITY CLERK





COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved:

1. Bill No. Z-75-04-08
2. Intended Use: Credit Union Office for Dana
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- a) This request will not, if handled correctly, be out of character with the neighborhood. The intended use is a credit union for Dana Corp. The approval of the credit union for site with the necessary restrictions will come from the Board of Zoning Appeals.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

James Geraghty
James Geraghty
Director

JG:pr
att.
cc: Mayor Ivan Lebamoff

original on permanent file



RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 8, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-04-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the city, and the amendment will not be detrimental to and does not conflict with the overall city plan;

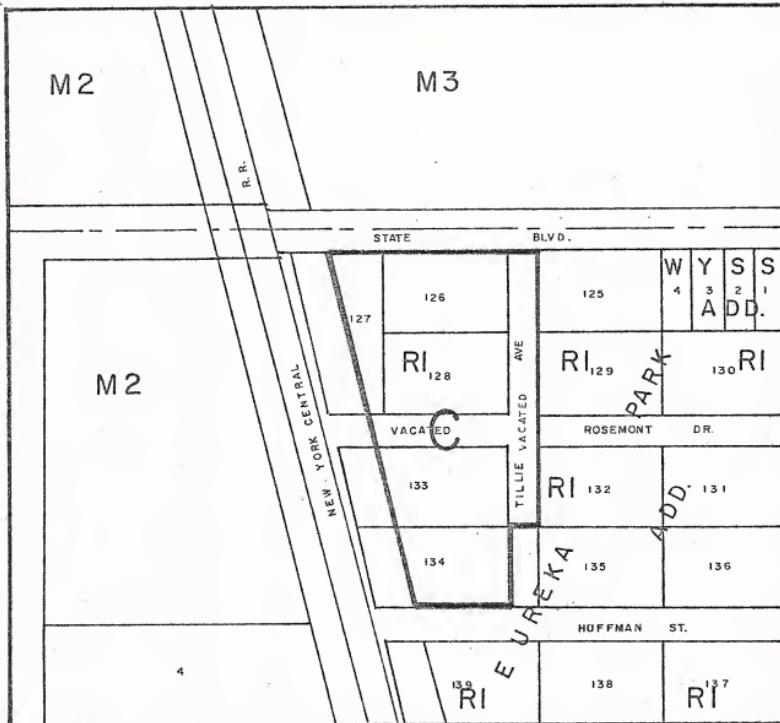
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this
30th day of May, 1975.



Charles N. Hall
Secretary



C CHANGE FROM RI TO R3

N

2-75-04-08



COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 30, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-74-11-08

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of May, 1975.

Charles N. Hall
Secretary

MADE A MATTER OF RECORD
DATE 6/6/75 CHARLES W. WESTERMAN, CITY CLERK

an equal opportunity employer





COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-74-11-08
2. Intended Use: K & K Insurance Company
3. Plan Commission Recommendation: DO NOT PASS

The ordinance received a DO NOT PASS recommendation for the following reasons:

- a) This area is predominately single family, therefore a change in zoning to an "R3" is not in character with the neighborhood. At the present time the City is involved in a program to upgrade the neighborhood thru the Community Development act. It is our opinion that this change in zoning will hinder neighborhood improvements in the area by allowing expansion of a non-residential use. The present use is not a detriment to the neighborhood, however, at some point in time the petitioner may relocate which would allow other uses in the building which would not be nearly as compatible.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

James Geraghty
James Geraghty
Director

RSW:pr
ATT.

cc: Mayor Ivan Lebamoff

an equal opportunity employer



18	43	18	18	1
19	42	19	19	2
20	41	20	20	3
21	40	21	21	4
22	39	22	22	5
23	R1	23	23	6
24	R2	24	24	7
25	R3	25	25	1
26	R	26	26	2
AVE.				
COLERICK				
27	34	27	27	4
28	35	28	28	5
29	36	29	29	6
30	R1	30	30	R1
31	31	31	31	8
32	32	32	32	9
33	33	33	33	10
34	34	34	34	11
35	35	35	35	ST.
36	36	36	36	
37	37	37	37	
38	38	38	38	
39	39	39	39	
40	40	40	40	
AVE.				
DEVILLE BISS				
27	34	27	27	4
28	35	28	28	5
29	36	29	29	6
30	R1	30	30	R1
31	31	31	31	8
32	32	32	32	9
33	33	33	33	10
34	34	34	34	11
35	35	35	35	ST.
36	36	36	36	
37	37	37	37	
38	38	38	38	
39	39	39	39	
40	40	40	40	
ECKART				
120	B181	B180	240	
119	122	179	239	
118	123	180	238	
117	124	181	237	
116	125	176	238	
115	126	175	235	
114	127	174	234	
113	128	173	233	
112	129	172	232	
111	130	171	231	
110	131	170	230	
BOWSER				
DREXEL PARK				
BOWSER				
ROBINWOOD DR.				
HOLTON				
3	2	1		
183	184	185		
186	187	188		
189	190	191		
ADD				
13	14	15		

C- CHANGE FROM RI TO R3

2-74-11-08

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on November 12, 1974, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-74-11-08; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO NOT PASS for the reasons that no need has been shown for the Land Use Plan to be amended, the amendment will not be in the best interest of and benefit to the area involved and of and to the City, and the amendment will be detrimental to and conflicts with the overall City Plan; and,

Be it further resolved that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this
30th day of May, 1975.



Charles N. Hall
Secretary



COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 30, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

Bill No. Z-75-04-09

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
30th day of May, 1975.



Charles N. Hall
Secretary

DATE 6/10/75 MADE A MATTER OF RECORD
CHARLES W. WESTERMAN, CITY CLERK

an equal opportunity employer





COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 30, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. 2-75-04-09
2. Intended Use: Dentist office
3. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reasons:

- a) This request is a logical one because of adjacent multiple family development. This office will require alternate approval of the Board of Zoning Appeals.

If there are any questions with regard to this ordinance, please feel free to contact us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

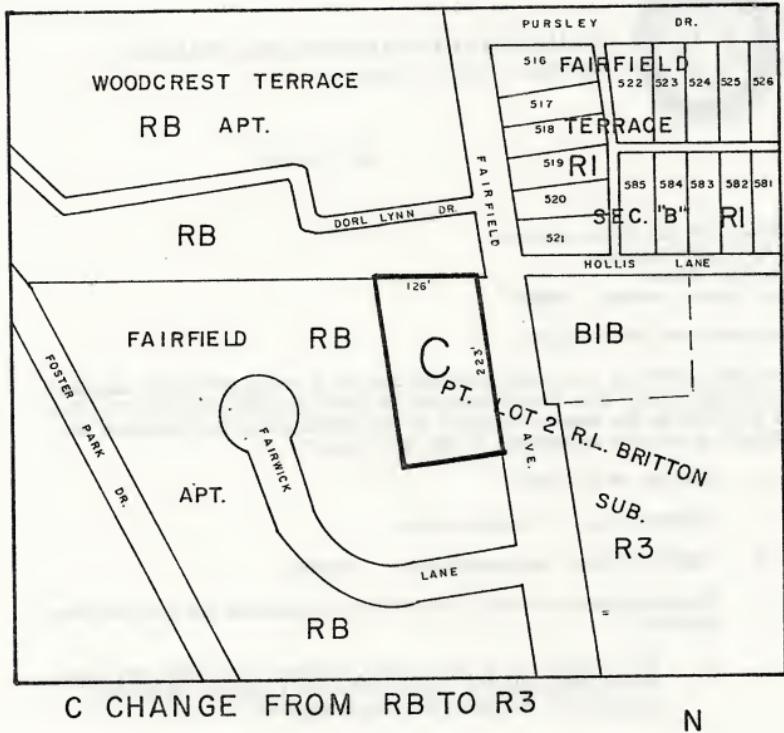
James Geraghty (pr)
James Geraghty
Director

JG:pr
att.

cc: Mayor Ivan Lebamoff

an equal opportunity employer





2-75-0409

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on April 8, 1975, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-75-04-09; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 19, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this
30th day of May, 1975.



Charles N. Hall
Secretary



COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 30, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance Number 2836, amending Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana 1946). The proposed ordinance is designated as:

Bill No. G-75-05-15

Respectfully submitted

CITY PLAN COMMISSION

Certified and signed this
30th day of May, 1975.

Charles N. Hall
Secretary

MADE A MATTER OF RECORD
DATE 6/10/75 CHARLES W. WESTERMAN, CITY CLERK





COMMUNITY DEVELOPMENT AND PLANNING

long range planning and zoning

May 30, 1975

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution pertaining to an amendment to the ZONING ORDINANCE OF THE CITY OF FORT WAYNE, acted upon by the City Plan Commission at their regular meeting held May 27, 1975. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance.

1. Bill No. G-75-05-15
2. An ordinance amending Section 3, Article II, and Section 13, Article IV of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, providing for Barber Shop, Beauty Parlor, Insurance and similar office uses as Home Occupation Uses in All Districts following Board of Zoning Appeals approval.
3. Plan Commission Recommendation: DO PASS

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING
Division of Long Range Planning
and Zoning

James Geraghty (ar)
James Geraghty
Director

JG:pr
ATT.

cc: Mayor Ivan Lebamoff



RESOLUTION FOR ZONING ORDINANCE AMENDMENT

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on May 13, 1975, referred a proposed Zoning Ordinance Amendment to the City Plan Commission which proposed ordinance was designated as Bill No. G-75-05-15; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on May 27, 1975;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance be given a DO PASS for the reasons that a need has been shown for the Zoning Ordinance of the City of Fort Wayne to be amended, the amendment will be in the best interest of and benefit to the citizens involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall city plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this
30th day of May, 1975.



Charles N. Hall
Secretary

5-05
BILL NO. G-74-09-15

GENERAL ORDINANCE NO. G-_____

AN ORDINANCE amending Section 3, Article II, and section 13, Article IV of Chapter 36 of the Municipal Code of the City of Fort Wayne, Indiana, providing for Barber Shop, Beauty Parlor, Insurance and similar office uses as Home Occupation Uses in All Districts following Board of Zoning Appeals Approval

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. Section 3, (27) of Article II, of the Fort Wayne Municipal Code, Chapter 36, is hereby repealed and in lieu thereof a new Section 3, (27) of Article II of the Fort Wayne Municipal Code, Chapter 36, is hereby enacted as follows:

Section 3. Definitions.

(27) Home Occupation--Any use conducted entirely within a dwelling and participated in solely by members of the family, which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof and in connection with which there is no commodity sold upon the premises except that which is produced thereon, and provided, however, in no event shall a tea room or animal hospital be construed as a home occupation.

SECTION 2. Section 13 of Article IV, of the Fort Wayne Municipal Code, Chapter 36, is hereby amended by adding thereto a new subsection G. of Section 13 of Article IV of the Fort Wayne Municipal Code, Chapter 36, which is hereby enacted as follows:

Section 13. Special Uses--Specified Districts.

G. In R1, R2, R3, RA and RB districts the Board may permit Beauty Parlors, Barber Shops, Insurance and similar offices which satisfy all the requirements for "Home Occupation", as such term is defined in this Chapter, for a period not to exceed one year from the date of the special use Improvement Location Permit issued by authority of the Board. Upon submission of an application to the Board of Zoning Appeals for a Barber Shop or Beauty Shop the applicant must also submit a copy of his or her valid state operators license. Prior to issuance of the Certificate of Occupancy the applicant must present to the City Zoning Enforcement Officer, evidence that the Barber Shop or Beauty Shop meets the requirement of the State of Indiana with respect to its operation. The Special Use Improvement Location permit may be reissued on each subsequent

APPROVED AS TO FORM
AND LEGALITY

[Signature]

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4 annual expiration date for an additional year if the
5 Board finds that the public convenience and welfare
6 will be substantially served and that the proposed
7 renewal will not be unduly detrimental to the surround-
8 ing area. A public hearing will not be required for
9 renewal permits.
10

11 SECTION 3. If any part, parts, section or sections,
12 provision, clause or portion of this ordinance shall be adjudged
13 invalid or unconstitutional, such invalidity or unconstitution-
14 ality shall not affect the validity or constitutionality of this
15 ordinance as a whole or any part, section, clause, provision,
16 or portion of this ordinance.

17 SECTION 4. This ordinance shall be in full force and
18 effect from and after its passage, approval by the Mayor and
19 legal publication thereof.

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Councilman



COMMUNITY DEVELOPMENT AND PLANNING
long range planning and zoning

May 30, 1975

COMMUNICATIONS FROM CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, Indiana 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a resolution of the City Plan Commission, passed at their regular meeting held May 27, 1975. This resolution concerns a proposed ordinance establishing the Embassy Theatre and the Indiana Hotel as an Historical District.

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
30th day of May, 1975.

Charles N. Hall
Secretary

MADE A MATTER OF RECORD

DATE 6/10/75 CHARLES W. WESTERMAN, CITY CLERK

an equal opportunity employer



RESOLUTION FOR ESTABLISHING HISTORICAL DISTRICT

WHEREAS, the City Plan Commission, at their regular meeting held May 27, 1975, proposed to prepare an ordinance for the establishment of the Embassy Theatre and the Indiana Hotel as an historical district.

WHEREAS, this action was taken by the City Plan Commission following consultation with the Mayor's Commission on Preservation and Restoration and the Embassy Theatre Foundation, Inc.,

WHEREAS, a forthcoming ordinance will be submitted to the City Council, for introduction and action, establishing the Embassy Theatre and the Indiana Hotel as an Historical District;

NOW THEREFORE, BE IT RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held May 27, 1975.

Certified and signed this
30th day of May, 1975.



Charles N. Hall
Secretary



THE CITY OF FORT WAYNE

department of public safety

June 6, 1975

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith is an authenticated copy of the Board of Public Safety Regulatory Resolution Number 24-75/E.

For the purpose of enforcement, please make this communication and the attached Regulatory Resolution a matter of record and incorporate it into the minutes of the next Common Council Meeting.

Respectfully submitted,

Thomas J. Casaburo
Director of Public Safety

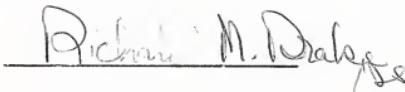
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MADE A MATTER OF RECORD
DATE 6/10/75 CHARLES W. WESTERMAN, CITY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 24-75 /E)

I hereby certify that I did this 6th day of
June, 1975 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, The City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana, respectively, a copy of the within
Regulatory Resolution No. 24-75 /E of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Secretary of said Board, in accordance with the provisions
of Section 20 (a) of Chapter 31, Municipal Code of the City
of Fort Wayne, Indiana 1946, as amended by General Ordin-
ance G-55, adopted FEB. 14, 1961.



EXECUTIVE SECRETARY

REGULATORY RESOLUTION NO24-75 /E

(Adopted June 6, 1975)

WHEREAS, Section 20(a) (3), Chapter 31, Municipal Code of the City of Fort Wayne, Indiana, as amended by General Ordinance No.G -55 adopted FEB. 14 1961 authorizes the Board of Public Safety to make experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Experimental Regulation hereinafter ordered, with regard to designating stop intersection, speed limit and no parking _____; and,

WHEREAS, the City Traffic : Engineer has, by written memorandum dated June 2, 19 75, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 20 (a) (3) of Chapter 31 of the Municipal Code of the City of Fort Wayne, Indiana 1946, as amended by General Ordinance No G -55. adopted FEB. 14, 1961. to make experimental regulations to cover special condi-

tions, it is hereby ordered, effective June 6, 19 75, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that THE FOLLOWING BE ESTABLISHED:

A. STOP INTERSECTION

1. Winter Street - stop - for Ventura Lane

B. SPEED LIMIT 35 MPH

1. Anthony Blvd. - from - Pettit Avenue to Paulding Road.

C. DELETE: SPEED LIMIT 40 MPH

1. Anthony Blvd. - from - Pettit Avenue to Paulding Road.

D. NO PARKING

1. Hessen Cassle Rd.-east side-from McKinnie Ave. to Rudisill Blvd.

The Council then adjourned.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 10th day of June, 1975; that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 10th day of June, 1975.

Charles W. Westerman

Charles W. Westerman
City Clerk

SEAL